

Before the Board of Zoning Adjustment, D. C.

Application No. 11740 of Robert P. Burroughs and National Savings and Trust Co., pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to continue a commercial parking lot as provided by Section 3104.44 of the Regulations at the premises 1125-29 24th Street, N.W., known as lots 845, 846, and 847, Square 37.

HEARING DATE: November 20, 1974

DECISION DATE: January 21, 1975

FINDINGS OF FACT:

1. The proposed use was granted by the Board for the subject property in 1967 by Order No. 9162 for a period of five (5) years, and again on July 26, 1973 in Order No. 11328 for the period of one (1) year.

2. The applicant intends to use the property in question for the rental of nineteen (19) off-street parking spaces on a monthly basis.

3. The subject lot is and has been used by employees of the American Telephone and Telegraph Company who park in the morning and leave in the afternoon.

4. Opposition was registered by Mrs. Katherine McCarron on behalf of the Dupont Circle Citizens Association on the basis that the subject property should be developed with townhouses or medium density apartments.

5. The applicant stated that the owner of the subject property intends to develop the subject property with an apartment house.

6. The Board finds that the proposal which would be a continuation, is necessary and convenient to the neighborhood, by reason of the lease arrangements with the employees of the American Telegram and Telegraph Company to use the spaces on an eight hour basis.

7. The Board finds, that because the parking spaces on the lot are used for reserved parking for a specific period of time, that an objectionable traffic condition does not exist as a result of proposed use.

CONCLUSION OF LAW:

Based upon the above findings, and the record, the Board concludes that the applicant has complied with Section 3104.44, i.e., that the use is necessary and convenient another use in the neighborhood, and will not have an adverse affect on nearby or adjoining property. The Board is of the opinion, that this parking lot, if granted, would not

adversely affect the present character or future development of the neighborhood, because use would be temporary and the owner intends to develop it in the future with a conforming residential use.

ORDERED: That the above application be GRANTED for the period of five (5) years.

The Order shall be subject to the following conditions:

a. Permit shall issue for a period of five (5) years but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.


h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of the Order have been violated.

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VOTE: 4-0 (Martin Klauber not voting, not having heard the case.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
JAMES E. MILLER,
Secretary to the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY
UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH
THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER
THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF ORDER: MAR 24 1975